

OFFICIAL



**HUMAN GENOME SCIENCES FAX RECEIVED
LEGAL DEPARTMENT**

9410 Key West Avenue
Rockville, MD 20850

Phone: 301-309-8504

Fax: 301-309-8439

JUN 16 2003

GROUP 1600

FAX COVER SHEET

DATE: June 13, 2003

TOTAL NUMBER OF PAGES: 10

TO: Examiner Carla Myers - Art Unit 1634
Box AF
United States Patent & Trademark Office

FAX NO.: (703) 872-9307

PHONE NO.: (703) 308-2199

FROM: Mark J. Hyman (Reg. No. 46,789)

RE: Application No. 09/774,639
Application of: Ruben et al.

Atty. Docket No. PZ013P1C1
Filed: February 1, 2001

**The following documents were filed by Human Genome Sciences, Inc.
via facsimile on June 13, 2003:**

1. Fax Cover Sheet
2. Fee Transmittal Sheet
3. Amendment and Response Under 37 C.F.R. § 1.116
4. Certificate of Transmission Under 37 C.F.R. § 1.8

If you experience any difficulty receiving this transmission,
please contact Mark J. Hyman at (240) 314-1224.

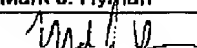
The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.

under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

PTO/SB/17 (01-03)
Approved for use through 04/30/2005 OMB 0651-0032

FEE TRANSMITTAL for FY 2003		Complete if Known	
<small>Patent fees are subject to annual revision.</small>		Application Number	09/774,639-Conf. #8758
		Filing Date	February 1, 2001
		First Named Inventor	Steven M. Ruben
		Examiner Name	C. Myers
		Group Art Unit	1634
		Attorney Docket No.	PZ013P1C1
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 0.00			


METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																														
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>3051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>2451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent designation per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	3051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	2451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent designation per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity Fee Code	Small Entity Fee Code			Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																										
1051	130			3051	65	Surcharge - late filing fee or oath																																																																																																																																																																										
1052	50			2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																										
1053	130	1053	130	Non-English specification																																																																																																																																																																												
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																												
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																												
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																												
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																												
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																												
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																												
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																												
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																												
1401	320	2401	160	Notice of Appeal																																																																																																																																																																												
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																												
1403	280	2403	140	Request for oral hearing																																																																																																																																																																												
1451	1,510	2451	1,510	Petition to institute a public use proceeding																																																																																																																																																																												
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																												
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																												
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																												
1502	470	2502	235	Design issue fee																																																																																																																																																																												
1503	630	2503	315	Plant issue fee																																																																																																																																																																												
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																												
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																												
1808	180	1808	180	Submission of Information Disclosure Stmt																																																																																																																																																																												
8021	40	8021	40	Recording each patent designation per property (times number of properties)																																																																																																																																																																												
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																												
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																												
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																												
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																												
1. BASIC FILING FEE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1) (\$)</td> <td>0.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee		1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1) (\$)				0.00																																																																																																																																							
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1001	750	2001	375	Utility filing fee																																																																																																																																																																												
1002	330	2002	165	Design filing fee																																																																																																																																																																												
1003	520	2003	260	Plant filing fee																																																																																																																																																																												
1004	750	2004	375	Reissue filing fee																																																																																																																																																																												
1005	160	2005	80	Provisional filing fee																																																																																																																																																																												
SUBTOTAL (1) (\$)				0.00																																																																																																																																																																												
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from Prior</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>27</td> <td>-53** =</td> <td></td> <td>0.00</td> </tr> <tr> <td>6</td> <td>-10** =</td> <td></td> <td>0.00</td> </tr> <tr> <td colspan="4">Multiple Dependent</td> </tr> </tbody> </table>		Total Claims	Extra Claims	Fee from Prior	Fee Paid	27	-53** =		0.00	6	-10** =		0.00	Multiple Dependent																																																																																																																																																																		
Total Claims	Extra Claims	Fee from Prior	Fee Paid																																																																																																																																																																													
27	-53** =		0.00																																																																																																																																																																													
6	-10** =		0.00																																																																																																																																																																													
Multiple Dependent																																																																																																																																																																																
Large Entity Fee Code Small Entity Fee Code <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>34</td><td>2204</td><td>17</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (2) (\$)</td> <td>0.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	34	2204	17	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)				0.00																																																																																																																																							
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																												
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																												
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																												
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																												
1204	34	2204	17	** Reissue independent claims over original patent																																																																																																																																																																												
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																												
SUBTOTAL (2) (\$)				0.00																																																																																																																																																																												
** or number previously paid, if greater. For Reissues, see above																																																																																																																																																																																
Other fee (specify)		SUBTOTAL (3) (\$) 0.00																																																																																																																																																																														
* Reduced by Basic Filing Fee Paid																																																																																																																																																																																

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Mark J. Hyman	Registration No (Attorney/Agent)	46,789
Signature		Telephone	(240) 314-1224
		Date	June 13, 2003

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

1. Fax Cover
2. Fee Transmittal Sheet
3. Response and Amendment Under 37 C.F.R. § 1.116

I hereby certify that the above-listed correspondence is being facsimile transmitted to the United States Patent and Trademark Office on June 13, 2002.



Mark J. Hyman (Reg. No. 46,789)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (240) 314-1224

REPLY UNDER 37 C.F.R. § 1.116 – EXPEDITED PROCEDURE
EXAMINING GROUP 1634

VIA FACSIMILE JUNE 13, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Docket No.: PZ013P1C1

Application No.: 09/774,639

Group Art Unit: 1634

Filed: February 1, 2001

Examiner: C. Myers

For: Secreted Protein HBJFE12 (As Amended)

RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313

Sir:

In response to the Office Action mailed April 15, 2003, Applicants hereby request that the following amendments and remarks be entered into the above-captioned application. Applicants submit concurrently herewith a Fee Transmittal Sheet (in duplicate).